

FILED

SEP 14 2023

Clerk, U.S. District Court
District Of Montana
Great Falls

ZENO B. BAUCUS
JEFFREY K. STARNES
Assistant U.S. Attorneys
U.S. Attorney's Office
James F. Battin U.S. Courthouse
2601 Second Ave. North, Suite 3200
Billings, MT 59101
Phone: (406) 657-6101
FAX: (406) 657-6989
Email: zeno.baucus@usdoj.gov
jeff.starnes@usdoj.gov

ATTORNEYS FOR PLAINTIFF
UNITED STATES OF AMERICA

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANTHONY JAMES CROSS,

Defendant.

CR 23-101-BLG-SPW

INDICTMENT

**THREATS TO INJURE AND MURDER
A UNITED STATES SENATOR (Count 1)**
Title 18 U.S.C. § 115(a)(1)(B), (b)(4)
(Penalty for Threat to Murder: Ten years
of imprisonment, \$250,000 fine, and three
years of supervised release)

(Penalty for Threat to Assault: Six years
of imprisonment, \$250,000 fine, and three
years of supervised release)

**THREATS AGAINST THE PRESIDENT
(Count 2)**
Title 18 U.S.C. § 871(a)
(Penalty: Five years of imprisonment,
\$250,000 fine, and three years of
supervised release)

THE GRAND JURY CHARGES:

COUNT 1

That on or about April 17, 2023, at Billings, in Yellowstone County, in the State and District of Montana, the defendant, ANTHONY JAMES CROSS, threatened to assault and murder a United States official, specifically U.S. Senator Jon Tester, with the intent to impede, intimidate, and interfere with such official while engaged in, and with intent to retaliate against such official on account of, the performance of his official duties, in violation of 18 U.S.C. § 115(a)(1)(B), (b)(4).

COUNT 2

That on or about April 10, 2023, at Billings, in Yellowstone County, in the State and District of Montana, and elsewhere, the defendant, ANTHONY JAMES CROSS, did knowingly and willfully make a threat to take the life of, and to inflict bodily harm upon, the President of the United States, in that he stated, in part, "I will personally kill Joe Biden," in violation of 18 U.S.C. § 871.

A TRUE BILL.

Foreperson signature redacted. Original document filed under seal.


TIMOTHY J. RACICOT
First Assistant United States Attorney

Attorney for the United States, Acting under Authority Conferred by 28 U.S.C. § 515


CYNDEE L. PETERSON
Criminal Chief Assistant U.S. Attorney